

STATE OF MICHIGAN

IN THE CIRCUIT COURT FOR THE COUNTY OF GENESEE

JUDY EISINGER

Case No. ~~12-98657~~ -NI

Plaintiffs,

~~JUDITH A. FULLERTON~~
P-20455

v.

FRONTIER AIRLINES

Defendant.

Michael R. Behan (P45121)
SCHRAM, BEHAN & BEHAN
Attorneys for Plaintiff
Eastbrook Plaza
4127 Okemos Road, Suite 3
Okemos, Michigan 48864
Phone: (517) 347-3500



***THERE IS NO OTHER PENDING OR RESOLVED
CIVIL ACTION ARISING OUT OF THE SAME TRANSACTION
OR OCCURRENCE AS ALLEGED IN THE COMPLAINT***

COMPLAINT AND JURY DEMAND

JURISDICTION

NOW COMES Plaintiff, JUDY EISINGER, by and through her attorneys, SCHRAM, BEHAN & BEHAN, who hereby states as follows as her cause of action:

1. Plaintiff, JUDY EISINGER, resides at 501 Bourland Road, Apartment 1303, Keller, Texas.
2. Defendant, FRONTIER AIRLINES, has its principle offices at 7001 Tower Road, Denver, Colorado and transacts business in Genesee County, Michigan.
3. This incident occurred and jurisdiction exists in this court because of a negligence accident in Genesee County, Michigan.

4. The amount in controversy is within the jurisdiction of this court because plaintiff claims physical damages in excess of \$25,000.00.

FACTUAL ALLEGATIONS

5. At all times relevant to this case, Defendant, FRONTIER AIRLINES, was transacting business at Flint's Bishop Airport.

6. Plaintiff bought ticket #4227917374471 to travel on the Defendant's airline on October 7, 2010.

7. Plaintiff suffers from a handicap and must travel by wheelchair.

8. Defendant, FRONTIER AIRLINES, was aware of the handicap.

9. The ticket defendant, FRONTIER AIRLINES, sold to the plaintiff specifically stated that plaintiff was immobile.

10. Defendant, FRONTIER AIRLINES, had not taken the precautions necessary for the safety of the plaintiff.

11. While attempting to transfer the plaintiff between a wheelchair and a seat on the plane, defendant's employees (one of whom was pregnant) negligently dropped the plaintiff.

12. As a direct and proximate result of the defendant's conduct, plaintiff sustained serious and what appear to be permanent injuries.

13. The entire incident at issue, which occurred in Genesee County, Michigan, was preventable if the defendant, FRONTIER AIRLINES, had utilized reasonable measures to protect for the safety of a handicapped person.

14. As a direct and proximate cause of defendants' actions, plaintiff has been caused to suffer significant physical pain, injury, and discomfort.

15. As a direct and proximate cause of defendants' actions, plaintiff has suffered from the serious impairment of body functions that has affected her general ability to lead a normal life.

COUNT I
NEGLIGENCE CLAIM – AGAINST FRONTIER AIRLINES

16. Plaintiff Incorporates by reference all allegations made in Paragraphs 1 through 15 herein.

17. Defendant, FRONTIER AIRLINES owed Plaintiff JUDY EISINGER the following duties of care (among others):

- a. To have its aircraft in such a condition to accommodate handicap persons such as plaintiff;
- b. Not to drop plaintiff when attempting to transfer the plaintiff between a wheelchair and a seat on the plane.

18. Defendant, FRONTIER AIRLINES, breached said duties owed to plaintiff, and that as a direct and proximate result of defendant's breach of its duties, the plaintiff was dropped and the injuries stated in this complaint resulted.

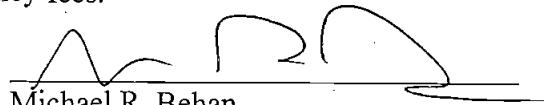
19. As a direct and proximate result of the negligence of defendant, FRONTIER AIRLINES, plaintiff suffered serious injuries, and may in the future suffer and may permanently suffer mental anguish, pain and suffering, injuries, and limitations (including aggravation of preexisting conditions, if).

- a. Pain, suffering, and mental anguish
- b. Loss of services
- c. Medical care
- d. Other damages, injuries, and consequences that are found to be related to the automobile accident that develop during the course of discovery.

WHEREFORE, plaintiff asks the court to award damages against defendant, FRONTIER AIRLINES, in whatever amount plaintiff is found to be entitled to in excess

of \$25,000.00, plus interest, costs, and attorney fees.

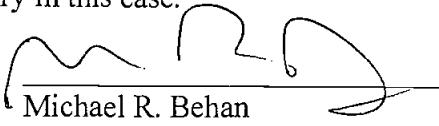
DATED: July 26, 2012


Michael R. Behan
Attorney for Plaintiff

JURY DEMAND

NOW COMES plaintiff, by and through her attorneys, SCHRAM, BEHAN & BEHAN, who hereby demands a trial by jury in this case.

DATED: July 26, 2012


Michael R. Behan
Attorney for Plaintiff

Drafted By:

Michael R. Behan (P45121)
SCHRAM, BEHAN & BEHAN
Attorneys for Plaintiff
4127 Okemos Road, Suite 3
Okemos, Michigan 48864
Phone: (517) 347-3500